



ATTORNEY AT LAW

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Via Electronic Case Filing

**The Honorable Charles B. Day
U.S. District Court for the District of Maryland
Southern Division
6500 Cherrywood Lane
Greenbelt, Maryland 20770**

**Re: Easley v. Washington Metropolitan Area Transit Authority
Civil Action No. 8:18-cv-03456
U.S.D.C. for the District of Maryland, Southern Division**

Dear Judge Day:

This letter is the Plaintiff Barbara A. Easley's response to the Defendant WMATA's alleged discovery dispute and in anticipation of the scheduled August 14, 2019 pre-motion telephone conference between the parties' counsel and the court.

The Defendant WMATA has not produced the driver, Ms. Carolyn Skipwith, and apparently Ms. Skipwith will be unavailable for trial. Plaintiff has not had the opportunity to obtain deposition discovery from Carolyn Skipwith concerning her alleged use of controlled dangerous substances at the time of the incident.

Initially Plaintiff intended to retain Dr. Yale H. Kaplan as an expert toxicologist. Plaintiff has decided that Dr. Yale H. Caplan, a toxicologist, is no longer needed as an expert for the Plaintiff. Although Dr. Kaplan may be called as a rebuttal expert witness.

The discovery "dispute" is now moot since no expert report is necessary for potential rebuttal expert witnesses.

Sincerely,

Stan Brown, Esq.

Counsel for Plaintiff, Barbara A. Easley

cc All counsel of record